

01-2-1382

Entered - 5-29-01 - sb  
CL 01L0337 - ALEXIS HOLMES

CLAIM OF: **SCOTT A. STORK**  
1231 Bouldercrest Drive, SE  
Atlanta, Georgia 30316

For vehicular damages alleged to have been sustained as a result of a vehicle accident on May 20, 2001 at Flat Shoals Road and Glenwood Avenue.

**BY PUBLIC SAFETY AND LEGAL ADMINISTRATION  
COMMITTEE:**

**BE IT RESOLVED** by the Council of the City of Atlanta that the action of the Department of Law be approved in authorizing payment to **SCOTT A. STORK** the sum of **\$559.61** in full settlement and satisfaction of all claims, past, present and future, of every kind and character for vehicular damages alleged to have been sustained as a result of a vehicle accident on May 20, 2001 at Flat Shoals Road and Glenwood Avenue as is more particularly set forth in the within claim; said sum taken from and charged to account 2J01/529017/T31001, Settlement of Suits and Claims, Department of Law.

APPROVED: SUSAN PEASE LANGFORD  
CITY ATTORNEY

BY:   
ROSALIND RUBENS NEWELL  
DEPUTY CITY ATTORNEY

# DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 01L0337

Date: 8/14/01

Claimant /Victim SCOTT A. STORK

BY: (Atty) \_\_\_\_\_

Address: 1213 Bouldercrest Drive, SE Atlanta, Georgia 30316

Subrogation: Claim for Property damage \$ 559,61 Bodily Injury \$ \_\_\_\_\_

Date of Notice: 5/29/01 Method: Written, proper X Improper \_\_\_\_\_

Conforms to Notice: O.C.G.A. §36-33-5 \_\_\_\_\_ Ante Litem (6 Mo.) X

Date of Occurrence 5/20/01 Place: Flat Shoals Road and Glenwood Avenue

Department Public Works Division: Sewer Operations

Employee involved Flamando C. Hill Disciplinary Action: Pending

**NATURE OF CLAIM:** The claimant sustained vehicular damages when a City worker driving a City vehicle attempted to turn a corner, and turned the corner too sharp, and struck the front driver's side of claimant's vehicle.

## INVESTIGATION:

Statements: City employee \_\_\_\_\_ Claimant X Other X Written \_\_\_\_\_ Oral \_\_\_\_\_

Pictures \_\_\_\_\_ Diagrams X Reports: Police X Dept Report \_\_\_\_\_ Other \_\_\_\_\_

Traffic citations issued: City Driver \_\_\_\_\_ Claimant Driver \_\_\_\_\_

Citation disposition: City Driver \_\_\_\_\_ Claimant Driver \_\_\_\_\_

## BASIS OF RECOMMENDATION:

Function: Governmental \_\_\_\_\_ X Ministerial \_\_\_\_\_

Improper Notice \_\_\_\_\_ More than Six Months \_\_\_\_\_ Other \_\_\_\_\_ Damages reasonable X

City not involved \_\_\_\_\_ Offer rejected \_\_\_\_\_ Compromise settlement \_\_\_\_\_

Repair/replacement by Ins. Co. \_\_\_\_\_ Repair/replacement by City Forces \_\_\_\_\_

Claimant Negligent \_\_\_\_\_ City Negligent X Joint \_\_\_\_\_ Claim Abandoned \_\_\_\_\_

Respectfully submitted,

*Alexis Holmes*  
INVESTIGATOR - ALEXIS HOLMES

## RECOMMENDATION:

COUNCIL OF THE CITY OF ATLANTA  
MUNICIPAL CLERK  
City Hall  
55 Trinity Avenue, S.W.  
Atlanta, Georgia 30335

RE: CLAIM FOR DAMAGES

Today's Date: 5-20-2001

Dear Municipal Clerk:

ENTERED - 5-29-01 - SB  
01L0337 - ALEXIS HOLMES

This is to notify the City of Atlanta that I have suffered damages in the amount sum of \$ 559.61 property and/or  
\$ 0/a bodily injury for which I contend the City is liable.

1. Date of incident: 5-20-2001 2. Time of Incident: 3:20 pm 3. Police called: YES NO  
(month/day/year) Yes No

4. Location of incident (including street address): Intersection of Flat Shoals and Glenwood in East Atlanta

5. Name of your insurance company: Progressive Insurance Policy No. 36395373-0

6. State what and how incident occurred: I was at the stoplight at the corner of Flat Shoals and  
Glenwood waiting to proceed straight east. The city of Atlanta Sewer Dept. truck was turning  
left onto Flat Shoals from Glenwood Avenue and cut the corner too sharp and hit the front driver  
side of my car. The driver of [REDACTED] the city truck was ticketed with failure to  
maintain lane. CITY OF ATLANTA POLICE REPORT # 011401158.

7. ALL ESTIMATES AND DAMAGES ARE SUBJECT TO INSPECTION. THE MAKING OF FALSE CLAIMS WILL  
RESULT IN YOUR CLAIM BEING DENIED AND MAY RESULT IN CRIMINAL PROSECUTION!

8. The registered owner must make the claim for vehicle damages, complete the following and attach two (2) estimates of  
repair and proof of ownership of your vehicle (copy of the current tag receipt or title).

Your vehicle: Saturn SL1 1992 598XSA Scott A. Stork  
(Make) (Year) (Tag Number) (Driver's Name)

City vehicle: TRUCK ID#19355 M24201 Orange Sewer Dept. truck  
(Make) (City Driver's Name) (Department/Bureau)

9. Witness: Joseph Finster 1213 Bouldercrest Drive, Atlanta, GA 30316 678-665-5609  
(Name) (Address) (Telephone Number)

10. The acknowledgement of this claim in no way waives the sovereign immunity of the City of Atlanta, as granted by  
State law, nor is it an admission of liability on behalf of the City of Atlanta and / or its employee(s).

11. This claim should be mailed immediately to the address shown above.

**GENERAL RELEASE AND INDEMNIFICATION**

CLAIM NUMBER 01L0337

\$ 559.61

IN CONSIDERATION of the sum of **FIVE HUNDRED AND FIFTY-NINE AND 61/100**

DOLLARS, to be paid to me by the **CITY OF ATLANTA**, the future receipt of which is hereby acknowledged, I do hereby, for myself, my heirs, executors, administrators, and assigns, release and forever discharge said City, its officers and employees, including but not limited to **Elanlando C. HILL**, from any and all claims, demands, actions, causes of action, suits, damages, loss and expenses, of whatsoever kind or nature for or on account of anything that has heretofore occurred, and particularly for or on account of vehicular accident which occurred on or about the 20th day of May, 2001 at or near Flat Shoals Road and Glenwood Avenue

It is further understood and agreed that the payment of the above named sum is not to be considered as an admission on the part of the City, its officers, agents, servants or employees, of any liability whatsoever and the undersigned further covenants and agrees to indemnify and hold harmless the City of Atlanta, its officers, agents, servants and employees, from any and all claims, damages or costs which the said City of Atlanta, its officers, agents, servants and employees, may be called upon to make as a result of the event hereinbefore referred to.

And I now state that the only consideration for my signing this release and indemnification is the payment of the sum stated above; that no other promise or agreement of any kind or nature has been made to or with me by said City or its agents to cause me to sign this release, and that I fully understand the meaning and intent of this instrument.

WITNESS my hand and seal this 28th day of Aug, 2001

Scott A. Stork  
SCOTT A. STORK (LS)

The above release was read and explained to, and signed by the said Scott A. Stork

in our presence on the date above written.

Witnesses  
WITNESSES